

TIVERTON TOWN COUNCIL

Regular Meeting: Monday, December 10, 2007 at 7:00 p.m.

NOTE: Individuals requesting interpreter services for the hearing impaired must contact the Town Clerk's Office at 343 Highland Road or call (401) 625-6704 seventy-two (72) hours in advance of the meeting date.

DATE POSTED: 12-5-2007

1. PLEDGE OF ALLEGIANCE TO THE FLAG

2. ROLL CALL

Joanne M. Arruda

Louise Durfee

Donald Bollin

Jay Edwards

Paul E. Carroll

Brian A. Medeiros

Hannibal Costa

3. APPROVAL OF CONSENT AGENDA

All items listed with a (CA) are to be considered routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a member of the Council, or a member of the public so requests, in which event the item will be removed from Consent Agenda (CA) consideration and considered in its normal sequence on the agenda.

4. BUSINESS BROUGHT BEFORE THE COUNCIL

A. CONSENT AGENDA:

(C.A.) 1. a. Minutes From Town Council Meeting November 26, 2007

(C.A.) 2. Receipt of Minutes from the Following Boards, Commissions

- a. Charter Review Commission
- b. Harbor Commission
Commission
- c. Open Space Commission
- d. Wastewater Mgt Commission

- e. Historical Cemeteries
- f. Conservation
- g. Prevention Coalition

(C.A.) 3. CORRESPONDENCE

- a. Received Form Leger Lane Residents Regarding Parking on Leger Lane
- b. Received From RI League of Cities and Towns/Councilor Costa Regarding Update on RI Energy Aggregation (REAP) Program
- c. Received From Division Forest Environment Regarding National Arbor Day Foundation–Referred to Conservation, Tree Comm, Town Adm, Open Space

C – BOARD OF LICENSING COMMISSIONERS (ADVERTISED PUBLIC HEARING)

- 1. Nonni's, Inc. d/b/a Nonni's Kitchen and Pasta Shop, 1154 Stafford Road – Request Liquor License BVL (Beer and Wine)

BOARD OF LICENSING COMMISSIONERS

- 2. TBHR, LLC, d/b/a The Boat House Restaurant – Request Entertainment License Inside Building Only – Continued From November 26, 2007 – Correspondence Received
- 3. Town Clerk – Annual Renewal of Street Excavator's Licenses – Subject To Meeting All Legal Requirements – Partial Year January 1, 2008 to November 30, 2008
- 4. A. Korey Construction Corp, 54 Narragansett Ave, Providence – Request Approval For Street Excavator's License– Subject to Meeting All Legal Requirements – Expire November 30, 2008
- 5. Town Clerk – Ferrell Gas, Inc, 896 Fish Road – Late Renewal of Petroleum Storage License – Subject to Meeting All Legal Requirements

6. Town Clerk – Late Renewals of Annual Holiday Licenses – Subject to Meeting Legal Requirements

D – APPOINTMENTS & RESIGNATIONS:

1. Municipal Court Judge – Charter Section 805 –November 2007 to November 2009

a. Scott Nebergall Request Reappointment

E – UNFINISHED BUSINESS:

F – FINANCIAL BUSINESS

1. Tiverton Planning Board – Seeking Transfer of Funds to Acct # 107-398 Planning

Board Professional & Tech to Cover Shortfall – Continued From November 26th

a. Town Administrator – Request Transfer \$4,286.86 From Account #99-107-398 (C/F Professional Tech Services) and \$5,000 From Account #99-107-554(Advertising/Ordinances) to Account #107-398 (Professional Services)

2. Town Administrator – Request Approval to Transfer \$534.00 From C/F Acct#99-

112-693(Grant Matching Funds) to Acct#112-693 (Grant Matching Funds) to Pay Gifford Design Group, Inc.

G – NEW BUSINESS:

1. K. Tremblay, Attorney Representing Tiverton Yacht Club – Amendment to Zoning

Ordinance

a. Planning Board Response to Request for Zoning Amendment From Tiverton Yacht Club Referred on November 26th

2. Town Administrator –Approval of Three Year Employment Contract for Fire Chief
3. Councilor Medeiros – Request to Schedule Council Workshop in January to Discuss Issues on Wind Power
4. Councilor Medeiros – Review of Town Policy/Procedure on Expenditures
5. Councilor Medeiros – Department Head Hiring Process – DPW Director
6. Councilor Carroll – Request Update for Public on Request for “On-Site”

Neighborhood Meeting Regarding New Sakonnet River Bridge Design

- a. Letter From Portsmouth Town Clerk Regarding Meeting on December 17th in Portsmouth With RIDOT
- b. E Mail Correspondence From Portsmouth Councilor to Tiverton
- c. E Mail Correspondence From Town Administrator Regarding RIDOT Meeting

7. Councilor Durfee – Brief Discussion on GASB 45

H – BIDS AND REQUESTS FOR PROPOSALS

I – TOWN ADMINISTRATOR ANNOUNCEMENTS, COMMENTS AND QUESTIONS

J – COUNCIL ANNOUNCEMENTS, COMMENTS AND QUESTIONS

1. Councilor Carroll – December 24th Council Meeting

K – TOWN SOLICITOR – ANNOUNCEMENTS, COMMENTS AND QUESTIONS

5. CLOSED EXECUTIVE SESSION

1. Town Solicitor – 42-46-5(a)(2) – Litigation

A portion of this meeting may be held in executive session pursuant to the Open Meeting Law, Section 42-46-5(a) of the General Laws of Rhode Island, 1956 (1986 Reenactment), as amended.

6. ADJOURNMENT

Pursuant to RIGL §42-46-6(b). Notice - "Nothing contained herein shall prevent a public body, other than a school committee, from adding additional items to the agenda by majority vote of the members. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official."